

Administrator hereby enters his final order based upon the investigative file.

By letter dated July 27, 1992, the Missouri Department of Health denied Respondent's application for a Missouri Controlled Substances Registration effective June 24, 1992. The Missouri Department of Health's decision was based on the following: (1) Respondent's inability to accept responsibility for diverting Demerol (a Schedule II controlled substance) for personal use and abuse; and (2) Respondent's having provided false or misleading information on his application by failing to disclose the revocation of his Mississippi Veterinary License in September of 1976.

The DEA has consistently held that it does not have statutory authority under the Controlled Substances Act to register a practitioner unless that practitioner is authorized to dispense controlled substances by the state in which he proposes to practice. See *Lawrence R. Alexander, M.D.*, 57 FR 22256 (1992); *Bobby Watts, M.D.*, 53 FR 11919 (1988); *Robert F. Witek, D.D.S.*, 52 FR 4770 (1987). Because Respondent is not authorized to handle controlled substances in the State of Missouri, the Deputy Administrator cannot permit him to obtain a DEA Certificate of Registration in that state.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that any pending applications for a DEA Certificate of Registration as a practitioner on behalf of Jonathan L. Wilson, be, and they hereby are denied. This order is effective September 1, 1995.

Dated: July 27, 1995.

**Stephen H. Greene,**

*Deputy Administrator.*

[FR Doc. 95-18978 Filed 8-1-95; 8:45 am]

BILLING CODE 4410-09-M

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Agency Recordkeeping/Reporting Requirements Under Review by the Office of Management and Budget (OMB)

July 27, 1995.

The Department of Labor has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act (44 U.S.C. Chapter 35) of 1980, as amended (P.L.

96-511). Copies may be obtained by calling the Department of Labor Acting Departmental Clearance Officer, Theresa M. O'Malley ({202} 219-5095). Comments and questions about the ICRs listed below should be directed to Ms. O'Malley, Office of Information Resources Management Policy, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-1301, Washington, DC 20210. Comments should also be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for (BLS/DM/ESA/ETA/OAW/MSHA/OSHA/PWBA/VETS), Office of Management and Budget, Room 10325, Washington, DC 20503 ({202} 395-7316).

Individuals who use a telecommunications device for the deaf (TTY/TDD) may call {202} 219-4720 between 1:00 p.m. and 4:00 p.m. Western time, Monday through Friday.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Examinations and Tests of Electrical Equipment.

*OMB Number:* 1219-0067.

*Frequency:* On occasion.

*Affected Public:* Business or other for-profit.

*Number of Respondents:* 2,231,536.

*Estimated Time Per Respondent:* .77 hours.

*Total Burden Hours:* 1,726,992.

*Description:* Requires coal mine operators to frequently examine, test, and properly maintain all electric equipment and to keep records of the results of the examinations and tests.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Approval Requirements for Electric Motor Assemblies.

*OMB Number:* 1219-0115.

*Frequency:* On occasion.

*Affected Public:* Business or other for-profit.

*Number of Respondents:* 89.

*Estimated Time Per Respondent:* 3.0224 hours.

*Total Burden Hours:* 269.

*Description:* Establishes specific requirements for MSHA approval of certain explosion-proof electric motor assemblies intended for use in approved equipment in underground mines.

*Type of Review:* Revision.

*Agency:* Bureau of Labor Statistics/ Employment and Training Administration.

*Title:* February 1996 CPS Displaced Worker, Job Tenure, and Occupational Mobility Supplement.

*OMB Number:* 1220-0104.

*Agency Number:* CPS-1.

*Frequency:* One-time survey.

*Affected Public:* Individuals or households.

*Number of Respondents:* 55,000.

*Estimated Time Per Respondent:* .15 hours.

*Total Burden Hours:* 8,250.

*Description:* The information collected in this supplement will be used to determine the size and nature of the population affected by job displacement and, hence, the needs and scope of the Job Training Partnership Act Programs (or subsequent consolidated programs serving adult displaced workers). The information collected also will be used to assess employment stability by determining the length of time workers have been with their current employer and estimating the incidence of occupational change over the course of a year. In addition, data on job tenure for all workers are needed to calculate displacement rates among various worker groups so that comparison can be made over time and among different affected groups. Combining the questions on displacement, tenure, and occupational change will enable analysts to obtain a more complete picture of employment stability.

**Theresa M. O'Malley,**

*Acting Departmental Clearance Officer.*

[FR Doc. 95-18979 Filed 8-1-95; 8:45 am]

BILLING CODE 4510-43-M

## Mine Safety and Health Administration

### Petitions for Modification

This notice amends an affirmative decision issued by the Administrator of Metal and Nonmetal Mine Safety and Health on a petition for modification of the application of a mandatory safety standard to correct the word "shop" in a document published in the **Federal Register** on June 20, 1995 (60 FR 32180) to read "shot".

*Docket No.:* M-94-38-M

*FR Notice:* 59 FR 50008

*Petitioner:* Independent Aggregates

*Reg Affected:* 30 CFR 56.6306(b)

*Summary of Findings:* Petitioner's proposal to continue drilling the shot pattern while loading is in progress by completing a drill hole and immediately loading the hole while continuing to drill a new hole considered acceptable alternative method. Granted with conditions.

The following parties have filed petitions to modify the application of mandatory safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

**1. Consolidation Coal Company**

[Docket No. M-95-92-C]

Consolidation Coal Company, Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30 CFR 75.1002 to its Loveridge No. 22 Mine (I.D. No. 46-01433) located in Marion County, West Virginia. The petitioner proposes to use high-voltage (4,160 volts) cables in the last open crosscut to supply power to longwall equipment. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

**2. Costain Coal, Inc.**

[Docket No. M-95-93-C]

Costain Coal, Inc., P.O. Box 289, Sturgis, Kentucky 42459-0289 has filed a petition to modify the application of 30 CFR 75.364(b)(4) to its Wheatcroft Mine (I.D. No. 15-13920) located in Webster County, Kentucky. Due to deteriorating roof conditions in the Main North and 1st North Panel and the approaches to the No. 10 seals, traveling the area would be unsafe. The petitioner proposes to establish evaluation points to determine the direction and quantity of air going into the affected area and to examine these points on a weekly basis. The petitioner states that application of the standard would result in a diminution of safety to the persons making weekly examinations. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

**3. Western Mingo Coal Company**

[Docket No. M-95-94-C]

Western Mingo Coal Company, P.O. Box 119, Naugatuck, West Virginia 25685 has filed a petition to modify the application of 30 CFR 75.350 to its Northern Mingo No. 2 Mine (I.D. No. 46-08369) located in Mingo County, West Virginia. The petitioner proposes to install a low-level carbon monoxide detection system as an early warning fire detection system in all belt entries used as intake air courses. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

**4. CONSOL of Kentucky, Inc.**

[Docket No. M-95-95-C]

CONSOL of Kentucky, Inc., Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the

application of 30 CFR 75.1101-8 to its 9AB - H4 Mine (I.D. No. 15-17667) located in Floyd County, Kentucky. The petitioner requests a modification of the standard to permit the use of a single line of automatic sprinklers for its fire protection system on main and secondary belt conveyors. The petitioner proposes to use a single overhead pipe system with 1/2-inch orifice automatic sprinklers located on 10-foot centers to cover 50 feet of fire-resistant belt or 150 feet of nonfire-resistant belt with actuation temperatures between 200 and 230 degrees Fahrenheit and with water pressure equal to or greater than 10 psi; to have automatic sprinklers located not more than 10 feet apart in order for the discharge of water to extend over the belt drive, belt take-up, electrical control, and gear reducing unit; and to conduct annual functional tests of each water sprinkler system. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

**5. Cyprus Cumberland Resources Corporation**

[Docket No. M-95-96-C]

Cyprus Cumberland Resources Corporation, 9100 East Mineral Circle, Englewood, Colorado 80112 has filed a petition to modify the application of 30 CFR 75.507 to its Cumberland Mine (I.D. No. 36-05018) located in Green County, Pennsylvania. The petitioner proposes to use nonpermissible submersible pumps to dewater bleeder sumps or bleeder entries in order to provide unrestricted airflow into the return air shaft or through the return entries. The petitioner states that these pumps are designed to cease operation when the water level is 3 feet above the level of the pump motor and would operate on a 480-volt three-phase alternating current electrical power circuit with a resistor grounded wye transformer protected by a line power ground-fault, pilot combination unit; that proposed revisions for their training plan would be implemented and given to the District Manager for the area in which the pump and pump electrical controls are located; and that the training plan would specify task training for all selected mine electricians who will perform electrical work on the pumps. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

**6. Cyprus Empire Corporation**

[Docket No. M-95-97-C]

Cyprus Empire Corporation (previously Empire Energy Corporation), P.O. Box 68, Craig, Colorado 81626 has filed a petition to modify the application of 30 CFR 75.1002 to its Eagle No. 5 Mine (I.D. No. 05-01370) located in Moffat County, Colorado. The petitioner requests that Item 10 of MSHA's Proposed Decision and Order granting petition for modification, docket number M-84-263-C be amended. The petitioner states that it is imperative that as products meet flame resistance and other MSHA specifications, they become available for use instead of obsolete products; and that the request to amend the presently approved petition addresses this specific issue.

**7. Mt. Top Coal Company**

[Docket No. M-95-98-C]

Mt. Top Coal Company, 104 E. Grand Avenue, Tower City, Pennsylvania 17980 has filed a petition to modify the application of 30 CFR 75.335 to its Buck Mt. Slope (I.D. No. 36-07359) located in Schuylkill County, Pennsylvania. The petitioner requests a modification of the standard to permit alternative methods of seal construction using wooden materials of moderate size and weight due to difficulty in accessing previously driven headings and breasts containing inaccessible abandoned workings; to accept a design criterion in the 10 psi range; and to permit the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

**8. Key West Mining, Inc.**

[Docket No. M-95-99-C]

Key West Mining, Inc., P.O. Box 768, Grundy, Virginia 24614 has filed a petition to modify the application of 30 CFR 75.360 to its Mine No. 3 (I.D. No. 44-03264) located in Buchanan County, Virginia. The petitioner requests relief from the standard requiring preshift examinations of underground conveyor belts in its entirety. The petitioner states that the area cannot be traveled safely due to deteriorating roof conditions in the No. 1 conveyor belt entry starting at a location approximately 170 feet from the surface and extending for a distance of approximately 90 feet. As an alternative, the petitioner proposes to visually examine the 90 feet area affected from both the inby and outby ends. The petitioner states that

application of the standard would result in a diminution of safety to the miners. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 9. Performance Coal Company

[Docket No. M-95-100-C]

Performance Coal Company, P.O. Box 69, Naoma, West Virginia 25140 has filed a petition to modify the application of 30 CFR 75.350 to its Upper Big Branch South Mine (I.D. No. 46-08436) located in Raleigh County, West Virginia. The petitioner proposes to install a low-level carbon monoxide detection system as an early warning fire detection system in all belt entries used as intake air courses. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 10. Performance Coal Company

[Docket No. M-95-101-C]

Performance Coal Company, P.O. Box 69, Naoma, West Virginia 25140 has filed a petition to modify the application of 30 CFR 75.1700 to its Upper Big Branch South Mine (I.D. No. 46-08436) located in Raleigh County, West Virginia. The petitioner proposes to plug and mine through oil and gas wells. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### 11. C.L.D., Inc.

[Docket No. M-95-10-M]

C.L.D., Inc., 2765 East 500 South, Vernal, Utah 84078 has filed a petition to modify the application of 30 CFR 57.4760(a) to its Cowboy No. 1 and 2 Mine (I.D. No. 42-02096) located in Uintah County, Utah. The petitioner requests a variance from the mandatory safety standard because the mining methods used at its gilsonite mines do not provide a physical means to comply with the standard. The petitioner states that a gilsonite mine uses an open-trench method of mining and that the mines are connected to other mines and are self-ventilating. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

#### Request for Comments

Persons interested in these petitions may furnish written comments. These comments must be filed with the Office

of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before September 1, 1995. Copies of these petitions are available for inspection at that address.

Dated: July 25, 1995.

**Patricia W. Silvey,**

*Director, Office of Standards, Regulations and Variances.*

[FR Doc. 95-18947 Filed 8-1-95; 8:45 am]

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### NUCLEAR REGULATORY COMMISSION

#### Biweekly Notice

#### Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

##### I. Background

Pursuant to Public Law 97-415, the U.S. Nuclear Regulatory Commission (the Commission or NRC staff) is publishing this regular biweekly notice. Public Law 97-415 revised section 189 of the Atomic Energy Act of 1954, as amended (the Act), to require the Commission to publish notice of any amendments issued, or proposed to be issued, under a new provision of section 189 of the Act. This provision grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from July 7, 1995, through July 21, 1995. The last biweekly notice was published on Wednesday, July 19, 1996 (60 FR 37084).

#### Notice Of Consideration Of Issuance Of Amendments To Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, And Opportunity For A Hearing

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an

accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received before action is taken. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC. The filing of requests for a hearing and petitions for leave to intervene is discussed below.

By September 1, 1995, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be